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Legal Representatives for Complainant

**BEFORE THE  
RESPIRATORY CARE BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Statement of Issues Against:

DEBORAH MARGARET LEE  
137 Myrtle Street  
Bakersfield, CA 93304

Applicant/Respondent

RCB Case No. 1H 2007 705

**STIPULATED SETTLEMENT FOR  
PUBLIC REPRIMAND AND  
DISCIPLINARY ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
above-entitled proceedings that the following matters are true:

PARTIES

1. Stephanie Nunez (hereinafter "Complainant") is the Executive Officer of  
the Respiratory Care Board of California (hereinafter "Board") and is represented in this matter  
by Edmund G. Brown Jr., Attorney General of the State of California, Supervising Deputy  
Attorney General Jose R. Guerrero, and by Catherine Santillan, Senior Legal Analyst.

2. Respondent DEBORAH MARGARET LEE (hereinafter "respondent") is  
representing herself in this matter.

JURISDICTION

3. On December 21, 2007, the Board received an application for a respiratory  
care practitioner license from respondent. The Board denied the application on April 18, 2008  
and on May 18, 2008, respondent requested a hearing.

4. Statement of Issues No. 1H 2007 705 (“Statement of Issues”) was filed on July 15, 2008 before the Board and is currently pending against respondent. The Statement of Issues, together with all other statutorily required documents, was duly served on the respondent in accordance with the California Administrative Procedure Act and respondent has filed a Notice of Defense. A copy of said Statement of Issues is attached as **Exhibit A** and incorporated herein by reference.

## ADVISEMENT AND WAIVERS

5. Respondent has carefully read and fully understands the nature of the charges alleged in the Statement of Issues 1H 2007 705.

6. Respondent has carefully read and fully understands the contents, force, and the effect of this Stipulated Settlement For Public Reprimand and Disciplinary Order (“Stipulation”).

7. Respondent is fully aware of her legal rights and that, but for this Stipulation, she would be entitled: 1) to a hearing on the charges and allegations in the Statement of Issues; 2) to confront and cross-examine the witnesses against her; 3) to present evidence on her own behalf and to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; 4) to reconsideration and appeal of an adverse decision; and 5) all other rights accorded pursuant to the California Administrative Procedure Act and other applicable laws.

8. Respondent hereby voluntarily, knowingly, intelligently and freely waives and gives up each and every right set forth above.

## CULPABILITY

9. Respondent admits the charges and allegations contained in Statement of Issues no. 1H 2007 705, a true and correct copy of which is attached hereto as **Exhibit A**. Respondent further agrees to be bound by the Board's imposition of discipline as set forth in the Order below.

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1 CONTINGENCY

2 11. This Stipulation shall be subject to the approval of the Board. Respondent  
3 understands and agrees that Board staff and counsel for complainant may communicate directly  
4 with the Board regarding this Stipulation, without notice to or participation by respondent or her  
5 representative. If the Board fails to adopt this Stipulation as its Disciplinary Order, the  
6 Stipulation shall be of no force or effect, it shall be inadmissible in any legal action between the  
7 parties, and the Board shall not be disqualified from further action in this matter by virtue of its  
8 consideration of this Stipulation.

9 12. In consideration of the foregoing admissions and stipulations, the parties  
10 agree that the Board shall, without further notice or formal proceeding, issue and enter the  
11 following Disciplinary Order:

12 DISCIPLINARY ORDER

13 IT IS HEREBY ORDERED that DEBORAH MARGARET LEE is hereby  
14 publicly reprimanded by the Respiratory Care Board. This Stipulated Settlement For Public  
15 Reprimand and Disciplinary Order shall constitute the formal public reprimand; in addition, as  
16 part of this Stipulation, respondent agrees as follows:

17 A. No further violation of the law will occur; and  
18 B. Respondent is hereby ordered to reimburse the Board the amount  
19 of \$505.00 for its investigative and prosecution costs. The amount shall be paid in full within  
20 twelve (12) months of the effective date of this Disciplinary Order. The filing of bankruptcy by  
21 the respondent shall not relieve the respondent of the responsibility to reimburse the Board for its  
22 investigative and prosecution costs.

23 C. Failure to timely reimburse the Board for its investigative and  
24 prosecution costs in the amount set forth above shall constitute unprofessional conduct pursuant  
25 to Business and Professions Code section 3755 for purposes of further disciplinary proceedings.  
26 In addition, the Board may withhold renewal of respondent's Respiratory Care Practitioner  
27 License.

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ACCEPTANCE

I, DEBORAH MARGARET LEE, have carefully read the above Stipulated Settlement For Public Reprimand and Disciplinary Order, and enter into it freely, voluntarily, intelligently, and with full knowledge of its force and effect on my Respiratory Care Practitioner License. I fully understand that, after signing this stipulation, I may not withdraw from it, that it shall be submitted to the Respiratory Care Board for its consideration, and that the Board shall have a reasonable period of time to consider and act on this stipulation after receiving it.

DATED: August 4, 2008

Original signed by: \_\_\_\_\_  
DEBORAH MARGARET LEE  
Respondent

ENDORSEMENT

The foregoing Stipulated Settlement For Public Reprimand and Disciplinary Order is hereby respectfully submitted for consideration by the Respiratory Care Board, Department of Consumer Affairs, State of California.

DATED: August 18, 2008.

EDMUND G. BROWN JR., Attorney General  
of the State of California

Original signed by: \_\_\_\_\_  
CATHERINE E. SANTILLAN  
Senior Legal Analyst  
Legal Representative for Complainant

**BEFORE THE  
RESPIRATORY CARE BOARD  
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In the Matter of the Statement of Issues Against:

RCB Case No. 1H 2007 705

DEBORAH MARGARET LEE  
137 Myrtle Street  
Bakersfield, CA 93304

Respondent.

**DECISION AND ORDER**

The attached Stipulated Settlement For Public Reprimand and Disciplinary Order is hereby adopted by the Respiratory Care Board, Department of Consumer Affairs, State of California, as its Decision in the above entitled matter.

This Decision shall be effective on October 16, 2008.

It is so ORDERED October 16, 2008.

Original signed by: \_\_\_\_\_

LARRY L. RENNER, BS, RRT, RCP, RPFT  
PRESIDENT, RESPIRATORY CARE BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA